



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 5, 2022

VIA ECF

Hon. Valerie Figueredo
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Sanjel v. USCIS*, No. 19 Civ. 10347 (LTS) (VF)

Dear Judge Figueredo:

This Office represents the government in the above-referenced action in which the plaintiff seeks review of the denial of his Application to Register Permanent Residence or Adjust Status (Form I-485) filed with U.S. Citizenship and Immigration Services (“USCIS”). I write respectfully, on behalf of all parties, to jointly request that the Court continue to stay this matter for an additional forty-five days.

As background, on May 9, 2022, the Court granted an on-consent request to stay this matter for sixty days to allow USCIS an opportunity to review the policy underlying this dispute and determine subsequent agency action. *See* ECF No. 39. As explained in the government’s May 6, 2022, letter, the plaintiff is subject to a removal order but has been accorded Temporary Protected Status (“TPS”). *See* ECF No. 38. A central issue in this case is the legal effect of the plaintiff’s travel and return to the United States pursuant to a grant of advance parole. The parties requested that the Court stay this case because USCIS was actively reevaluating its position on this key issue in accordance with the February 2, 2021 Executive Order issued by President Biden directing the Department of Homeland Security to, *inter alia*, “review existing regulations, orders, guidance documents, policies, and any other similar agency actions” and to “identify barriers that impede access to immigration benefits and fair, efficient adjudications of these benefits and make recommendations on how to remove these barriers, as appropriate and consistent with applicable law.” *See* Executive Order 14012, “Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans,” 86 Fed. Reg. 8277 (Feb. 2, 2021).

On July 1, 2022, USCIS issued a policy alert addressing changes to eligibility for adjustment of status for TPS beneficiaries and the effect of travel and return using TPS-related advanced parole. *See* <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220701-TPSAndAOS.pdf>. Given this recent development, the parties respectfully request additional time to determine the effect of the new policy on this case. The new policy potentially could obviate the need for further litigation. Accordingly, the parties jointly request that the Court continue to stay this case for an additional forty-five days. If acceptable to the Court, the parties will file a joint status update letter on August 19, 2022.

Application Granted

Valerie Figueredo, U.S.M.J.
DATED: 7-6-2022

We thank the Court for its consideration of this request.

Respectfully submitted,

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